

REMARKS

Applicants have carefully reviewed and considered the Office Action dated April 1, 2009, and the references applied therein. In response, applicants have amended claim 38 to further define the invention. Applicants respectfully submit that no new matter has been added by way of the amendments. Applicants believe that the application is in condition for allowance. Accordingly, favorable reconsideration in light of the following remarks is requested.

Applicants withdraw all previous statements made in support of patentability of claims 1-54. Applicants respectfully submit that the pending rejection of claims 20-54 should be withdrawn.

With respect to previously-presented independent claim 20, applicants respectfully submit that claim 20 patentably distinguishes over the applied references. The applied references fail to teach or suggest, either alone or in combination, a hedging processor for monitoring business transactions for goods of commerce of a customer in a first type of currency having all of the features recited in claim 20. For example, the applied references fail to teach or suggest a processor containing a computer readable program code for generating hedging instruction information to provide instructions to at least one of a plurality of FX rate providers or FX liquidity providers to exchange a customer's first type of currency to a second type of currency, based on hedging rules input by the customer and set by a customer and the occurrence of a first user-specified event defined in the hedging rules. The hedging rules described in claim 20 "define a first user-specified event to initiate an exchange of the customer's first type of currency to a second type of currency on the customer's behalf."

The hedging processor of claim 20 includes "a computer readable program code for generating hedging instruction information to provide instructions to at least one of a plurality of FX rate providers or FX liquidity providers *to exchange a customer's first type of currency to a second type of currency.*" (emphasis added). In Boesch, however, *neither the seller nor the buyer exchanges a first type of currency to a second type of currency.* See Boesch, col. 2, lines 48-53 ("One aspect of the invention disclosed herein shifts the risk associated with currency exchange from both the merchant and customer to a third party

(e.g., a server) in real time. This server may assume the risk itself or may choose to subsequently pass on the risk to a fourth party (e.g., a bank or other financial institution).”). Rather, the seller and buyer complete a “virtual settlement” of the transaction where: “upon approval of the transaction, the customer account is debited by the amount in the customer selected currency A(CSC). The merchant account is credited with the agreed price in the merchant accepted currency P(MAC). This amount and price were known by and agreed to by the customer user 203 and the merchant user 303. Thus, there is no uncertainty as to the amount or currency to be paid by customer user 203 or the price or currency to be received by merchant user 303.” Boesch, col. 10, lines 56-64. This process is different than “actual settlement” of the transaction which includes “converting real funds in an amount equal to the amount in the customer selected currency into real funds in the merchant accepted currency.” Boesch, col. 6, lines 25-30.

Boesch further fails to teach or suggest a “at least one input ... for receiving *hedging rules from the customer and set by the customer, wherein said hedging rules define a first user-specified event to initiate an exchange of the customer’s first type of currency to a second type of currency on the customer’s behalf.*” (emphasis added). Since Boesch does not contemplate either the customer or the merchant exchanging one type of currency for another, Boesch further does not teach or suggest an input of a hedging process or to receive the described instructions. Mancini fails to cure these deficiencies.

Accordingly, it is respectfully submitted that claim 20 patentably distinguishes over the applied references. Claims 21-36 depend from claim 20 and, thus, contain the same patentable features thereof.

With respect to previously-presented independent claim 37, applicants respectfully submit that claim 37 patentably distinguishes over the applied references. The applied references fail to teach or suggest, either alone or in combination, a hedging processor for monitoring business transactions for goods of commerce of a customer in a first type of currency having all of the features recited in claim 37. For example, the applied references fail to teach or suggest: (1) an input for receiving “*currency exchange rules from a customer and set by the customer, wherein the currency exchange rules define a customer-specified event to initiate an exchange of a first currency to a second currency for the customer*” or (2) a processor containing a computer readable program code for “*generating currency*

exchange instruction information to provide instructions to at least one of the plurality of FX rate providers or FX liquidity providers to exchange said first currency to said second currency, based on said currency exchange rules and the occurrence of the user-specified event.” (emphasis added). Boesch fails to teach or suggest an exchange of one type of currency into a second type, an input for receiving hedging instructions to initiate such an exchange for a customer based upon a customer-specified event, or a processor having computer readable program code for generating currency exchange information based on the currency exchanges rules established by the customer and the occurrence of the user-specified event.

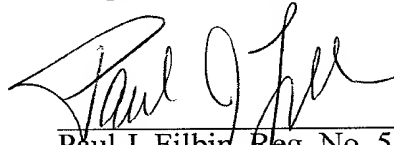
With respect to previously-presented independent claim 38, it is respectfully submitted that claim 38 patentably distinguishes over the applied references. The applied references fail to teach or suggest, either alone or in combination, a computerized method for administering transactions involving goods of commerce with a plurality of currency types having all of the steps recited in claim 38. For example, the applied references fail to teach or suggest a method with a step for receiving currency exchange rules from a customer and set by the customer, wherein said “currency exchange rules define *a first customer-specified event relating to the customer’s transactions involving said goods in a first type of currency that triggers the hedging processor to initiate an exchange of said first type of currency to a second type of currency for the customer.*” (emphasis added). Claims 39-53 depend from claim 38 and, thus, contain the same patentable features thereof.

With respect to previously-presented claim 54, it is respectfully submitted that claim 54 patentably distinguishes over the applied references. The applied references fail to teach or suggest, either alone or in combination, a computerized method for monitoring business transactions to provide foreign currency exchange hedging instructions and to provide foreign currency price information for goods of commerce having all of the features recited in claim 54. For example, the applied references fail to teach or suggest a method with steps for (1) *generating public price information to provide foreign prices of said goods*, based on at least one of a predetermined foreign exchange rate received from at least one of a plurality of foreign exchange (FX) rate providers and (2) *generating hedging instruction information to provide instructions based on hedging rules to exchange a first type of currency to a second type of currency*, where the hedging rules are sent and set by a customer and define

“a customer-specified event that triggers the hedging processor to initiate an exchange of the customer’s first type of currency to [the] second type of currency.” (emphasis added).

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Filbin", written over a horizontal line.

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